



**Before:** Judge Teresa Bravo

**Registry:** Geneva

**Registrar:** René M. Vargas M.

RECHDAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Shubha Suresh Naik, OSLA

**Counsel for Respondent:**

Rebecca Britnell, UNHCR

Charlotte Servant-L'Heureux, UNHCR

### **Introduction**

1. By application filed on 3 November 2021, the Applicant, a staff member of the Office of the United Nations High Commissioner for Refugees (“UNHCR”), contests the Administration’s decision “to deny [her] telecommuting arrangements or Special Leave with Full Pay (and maternity rights) despite the Medical Unit’s affirmation of her high-risk pregnancy, as well as considering the ongoing pandemic”.
2. On 8 December 2021, the Respondent filed his reply together with a motion for leave to exceed the page limit.
3. By Order No. 90 (GVA/2022) of 18 October 2022, the Tribunal granted the Respondent’s motion to exceed the page limit, instructed the Applicant to file a rejoinder and invited the Respondent to file his comments on the Applicant’s rejoinder.
4. In the same Order, the Tribunal also encouraged the parties to explore the possibility of having the dispute between them resolved without recourse to further litigation in view of the specific circumstances of the case.
5. On 27 October 2022, the Applicant filed a rejoinder.
6. On 7 November 2022, the Respondent filed his comments on the Applicant’s rejoinder.

### **Consideration**

7. Having reviewed the parties’ submissions to date and the evidence on record, the Tribunal finds that it is fully informed on the matter and, consequently, it can proceed to adjudicate the case without instructing the parties to file closing submissions.
8. The Tribunal notes, however, that neither the Applicant nor the Respondent indicated in their latest submissions whether mediation would be resorted to pursuant to Order No. 90 (GVA/2022).

9. For the fair and expeditious disposal of the case, the Tribunal finds it appropriate to instruct the parties to inform it whether they will enter mediation within 10 days of the issuance of the present Order.

10. Pursuant to art. 19 of the Tribunal's Rules of Procedure,

IT IS ORDERED THAT

11. By **Monday, 28 November 2022**, the parties inform the Tribunal whether they will engage in mediation.

12. If the parties do not agree to amicably settle the matter, the Tribunal will proceed to adjudicate the matter before it.

*(Signed)*

Judge Teresa Bravo

Dated this 16<sup>th</sup> day of November 2022

Entered in the Register on this 16<sup>th</sup> day of November 2022

*(Signed)*

René M. Vargas M., Registrar, Geneva